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F A C S I M I L E C O V E R S H E E T

TO: EXAMINER SAMUEL A. GEBREMARIAM (ART UNIT 2811)

CLIENT NUMBER: 54231

TELEPHONE: 571-272-1653

FAX: 571-273-8300

FROM: PAUL J. DITMYER, ESQ.

DATE: December 23, 2005

NUMBER OF PAGES (INCLUDING COVER SHEET): 18

COMMENTS/INSTRUCTIONS:

PLEASE SEE ATTACHED AMENDMENT AFTER FINAL RESPONSIVE TO  
EXAMINER'S OFFICE ACTION MAILED AUGUST 24, 2005 FOR APPLICATION SERIAL  
NO. 10/701,165.

NOTE: The information in this facsimile transmission is intended only for the personal and confidential use of the designated recipient(s) named above. This message may be an attorney-client communication and as such is privileged.

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Case No. 02GR09854488

**MS AMENDMENT**  
**COMMISSIONER FOR PATENTS**  
**P.O. BOX 1450**  
**ALEXANDRIA, VA 22313-1450**

In re Application of: **MORIN ET AL.**Serial No.: **10/701,165**Confirmation No.: **5541**Filed: **November 4, 2003**

For: **SEMICONDUCTOR DEVICE WITH MOS TRANSISTORS WITH AN  
 ETCH-STOP LAYER HAVING AN IMPROVED RESIDUAL STRESS  
 LEVEL AND METHOD FOR FABRICATING SUCH A  
 SEMICONDUCTOR DEVICE**

Sir:

Transmitted herewith is an amendment in the above-identified application.

☐ Applicant qualifies as a small entity under 37 CFR § 1.27.☒ No additional fee is required.

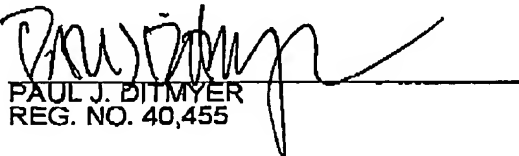
The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY		LARGE ENTITY	
FOR:	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	27	27	0	X25	\$	X50	\$
INDEPT CLAIMS	3	3	0	X100	\$	X200	\$
				TOTAL ADD'L FEE		TOTAL ADD'L FEE	\$

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
 \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The  
 "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the  
 equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

☒ The Commissioner is hereby authorized to charge or credit any discrepancies in fee amounts to Deposit Account No. 01-0484.☒ PLEASE ADDRESS ALL CORRESPONDENCE TO ATTORNEY OF RECORD: CHRISTOPHER F. REGAN☒ Please associate this application with Customer No. 27975.

December 23, 2005  
 DATE

  
 PAUL J. DITMYER  
 REG. NO. 40,455